

JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

BRIAN J. STRETCH (CASBN 163973)
Chief, Criminal Division

W. DOUGLAS SPRAGUE (CASBN 202121)
Assistant U.S. Attorney

1301 Clay Street
Oakland, CA 94612
Telephone: (510) 637-3771
Fax: (510) 637-3724
e-mail: doug.sprague@usdoj.gov

E-filing

Attorneys for the United States

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARIO ORTIZ,

Defendant.

CRIMINAL NO.

08-70006

NOTICE OF PROCEEDINGS ON
OUT-OF-DISTRICT CRIMINAL
CHARGES PURSUANT TO RULES
5(c)(2) AND (3) OF THE FEDERAL RULES
OF CRIMINAL PROCEDURE

Please take notice pursuant to Rules 5(c)(2) and (3) of the Federal Rules of Criminal Procedure that on or about January 4, 2008, the above-named defendant was arrested and is in custody based upon an arrest warrant (copy attached) issued upon an Indictment pending in the Eastern District of Washington (copy attached), in Case Number 07-174-WFN.

In that Indictment, the defendant is charged with two counts. **Count One** charges the defendant with violations of Title 21, United States Code, Section 841(a)(1), and Title 18, United States Code, Section 2, and alleges that defendant and two co-defendants knowingly and intentionally manufactured at least 1000 marijuana plants. **Count Two** charges the defendant with violating Title 21, United States Code, Section 846, and alleges that defendant conspired with two co-defendants to manufacture at least 1000 marijuana plants.


1 The maximum penalties for each count are as follows: life imprisonment (and a
2 mandatory minimum term of 10 years imprisonment); a life term of supervised release (and a
3 mandatory minimum term of 5 years of supervised release); a \$4,000,000 fine; and a special
4 assessment of \$100.

5 //

6 DATED: January 7, 2008

7 Respectfully Submitted,

8 JOSEPH P. RUSSONIELLO
9 UNITED STATES ATTORNEY

10 
11 W. DOUGLAS SPRAGUE
12 Assistant U.S. Attorney
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

RETURN TO CLERK USDC
P.O. BOX 1493
SPOKANE, WA 99210

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA

WARRANT FOR ARREST

Plaintiff (s)

v.

Case Number: CR-07-174-WFN-2

MARIO ORTIZ

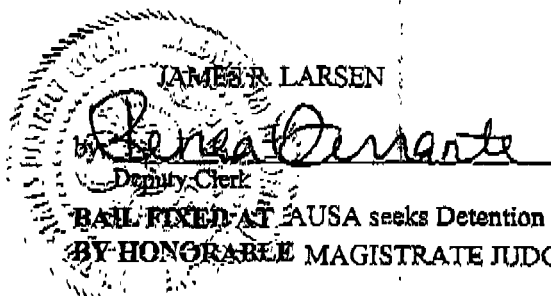
Defendant (s)

To: The United States Marshal and any Authorized U.S. Officer

YOU ARE HEREBY COMMANDED to arrest MARIO ORTIZ

and bring him or her forthwith to the nearest Magistrate Judge to answer a(n) indictment
charging him or her with violation of:

21 USC 841(a)(1) MANUFACTURE 1000 OR MORE MARIJUANA PLANTS
21 USC 846 CONSPIRACY TO MANUFACTURE 1000 OR MORE MARIJUANA PLANTS



JAMES R. LARSEN

CLERK, U.S. DISTRICT COURT

December 4, 2007

at Spokane, WA

RETURN ON WARRANT		
This warrant was received and executed with the arrest of the above-named defendant		
Date Received	Name and Title of Arresting Officer	Signature of Arresting Officer
Date of Arrest		

1 James A. McDevitt
2 United States Attorney
3 Eastern District of Washington
4 Aine Ahmed
5 Assistant United States Attorney
6 Post Office Box 1494
7 Spokane, WA 99210-1494
8 Telephone: (509) 353-2767

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEC 04 2007

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CR-07-174-WFN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CRUZ MARTINEZ-BALTIER,
MARIO ORTIZ, and
VICTOR HERNANDEZ,

Defendants.

INDICTMENT

Vio: 21 U.S.C. § 841(a)(1)
Manufacture 1000 or
More Marijuana Plants
(Count 1)

21 U.S.C. § 846
Conspiracy to
Manufacture 1000 or
More Marijuana Plants
(Count 2)

The Grand Jury Charges:

COUNT 1

That on or about August 14, 2007, in the Eastern District of Washington,
CRUZ MARTINEZ-BALTIER, MARIO ORTIZ, and VICTOR HERNANDEZ,
did knowingly and intentionally manufacture 1000 or more marijuana plants, a
Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1),
(b)(1)(A)(vii), and 18 U.S.C. § 2.

INDICTMENT - 1

P71120DD.AAD.wpd

COUNT 2

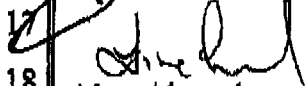
That beginning on a date unknown, but by on or about May 8, 2007, until on or about August 14, 2007, in the Eastern District of Washington, CRUZ MARTINEZ-BALTIER, MARIO ORTIZ, and VICTOR HERNANDEZ, did knowingly and intentionally combine, conspire, confederate and agree together and with each other and with other known persons, to commit the following offense against the United States, to wit: manufacture 1000 or more marijuana plants, a Schedule I controlled substance, in violation of 21 U.S.C. § 841(a)(1); all in violation of 21 U.S.C. § 846.

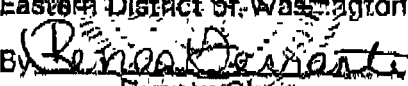
DATED this 4th day of December, 2007.

A TRUE BILL


Foreperson


James A. McDevitt
United States Attorney


Aine Ahmed
Assistant United States Attorney

Attest: A True Copy
James B. Larsen, Clerk
United States District Court
Eastern District of Washington
By 
Deputy Clerk

INDICTMENT - 2

P2112000 A4D word

GRAND JURY

PANEL 07-1S

CR-07-174-WFN-2

December 4, 2007

SPOKANE, WASHINGTON

MARIO ORTIZ

SSAN: None (Mexican Citizen)

DOB: 2/5/1966

**21 U.S.C. § 841(a)(1)
Manufacture 1000 or More Marijuana
Plants (Count 1)**

**21 U.S.C. § 846
Conspiracy to Manufacture 1000 or
More Marijuana Plants (Count 2)**

AUSA: Aine Ahmed, AUSA

Agent: Sam Keiser, DEA

Bonding Information: Defendant currently has an arrest warrant outstanding based upon a Criminal Complaint filed November 13, 2007. The United States would seek detention based upon the nature of the pending charges and risk of flight.

Action to Be Taken: ISSUE ARREST WARRANT

County of Offense: Okanogan

Interpreter Services Needed: Spanish

BOND *AUSA seeks*
AUSA Seeks *det.*
Detention

MX-07-348-CI-2